



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/10/98	08/23/98	Elizabeth	08/10/98

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EXAMINER

08/10/98

ART UNIT

2712

PAPER NUMBER

5

DATE MAILED:

08/23/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/579,739

Applicant(s)
Y. Sakaegi

Examiner
Wendy Garber

Group Art Unit
2712



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-11 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

2. Claims 1-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 7, a "predetermined circuit" is introduced as having power supplied to it. In lines 14-15, a "predetermined power consumption unit" is mentioned. It appears as if these two are actually the same element. If that is true - it should not be referred to differently within the same claim. Please insure that the phraseology used to refer to elements is consistent. Similarly, it is not clear on what, if any, signal line the "communication request discriminating means" receives an input. The claim merely states that the input is received from the computer. It appears that this is the same input line as the "signal line" in line 4. Also, the last paragraph of the claim is confusing. The "communication request discriminating means" does not operate until after power has been supplied by the power supply control means. Based on this, it is not clear how the power supply can be "decided" (turned on or off) based on the output of the communication request discriminating means - it is already on. Presumably this means that, once power is turned on, if a communication is not received for a certain period of time, the power will be turned off. For the purposes of examination, this interpretation will be followed.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Hicks.

Hicks discloses a system that includes a power saving feature. As seen in figure 1, the system includes a peripheral apparatus (a printer and power saver 17) and a personal computer. As can be seen in figure 1 and described in the corresponding part of the specification, the power saver detects the voltage level of a signal line connected to the computer (13). Based on this determination, power is supplied to the printer via power cord 3. If a communication is not made within a predetermined period of time from the computer to the printer, power to the printer is cut-off (see bottom of col. 1 for summary of invention). As shown in figure 1, the power supply cord and the data signal line are separate.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks.

Hicks shows that the peripheral apparatus has its own power cord (4). Official Notice is taken that the personal computer has its own power source which could be either a power cord or a battery. It would have been obvious to have the power source from the computer power the

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detecting means of the peripheral device so that the peripheral device need not be tethered to a wall outlet.

5. ^{3, 4-5 are} Claim ~~4~~ is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks in view of Parulski et al.

Hicks specifically shows that the peripheral apparatus can be a printer. As discussed in col. 1, lines 25+, peripheral devices other than printers can also be used with computers.

Throughout the specification, Hicks uses the generic term "peripheral device" implying that any known type of peripheral device could be used with the power-saving system, not only a printer

Parulski discloses that it is known in the art to also use a camera as a peripheral device to a personal computer. This allows the user to download images to the computer from the camera which allows greater processing capabilities as well as the opportunity to store a large number of images. Since Hicks discloses that computers may be used with different sorts of peripheral devices and Parulski discloses that it is advantageous to use cameras along with computers, it would have been obvious to one of ordinary skill in the art to use a camera as the peripheral device in the power saving system disclosed by Hicks.

6. Claims 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks in view of Aoki.

Claim 7 is considered essentially similar to the combination of claims 1 and 4 which were discussed above. See the above description of how Hicks applies to the limitations.

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Similar to Parulski discussed above, Aoki discloses that a camera may be used as a peripheral device which may be connected to a computer. For the same reasons discussed above, it would have been obvious to use a camera as the peripheral device in the power-saving system disclosed by Hicks. Aoki is used instead of Parulski in these claims because Aoki specifically states that the camera may be used as a stand-alone device while not connected to the computer. As shown in figure 3, the camera includes a recording means (3) and a buffer (115)

Claim 11 is considered substantively equivalent to claims 6 which was discussed above.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

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(703) 308-5399 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wendy Garber whose telephone number is (703) 305-4929. The examiner can normally be reached on Monday-Thursday from 7:45 to 5:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

WRG
January 16, 1998


WENDY GARBER
PRIMARY EXAMINER